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PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/804,668
	Filing Date	March 19, 2004
	First Named Inventor	William A. Zoghbi
	Art Unit	3762
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	HO-P02680US1

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached (2 checks) <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Power of Attorney Declaration with ADS Assignment with cover sheet 2 checks (\$65 and \$80)		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	FULBRIGHT & JAWORSKI L.L.P. Jila Bakker - 53,962 1301 McKinney, Suite 5100 Houston, Texas 77010
Signature	
Date	July 26, 2004

**Transmittal**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER509321301US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 26, 2004

Signature: Linda A. Bourg



<b>FEE TRANSMITTAL</b> <b>for FY 2004</b> <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>		<b>Complete if Known</b>	
		Application Number	10/804,668
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 19, 2004
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 145.00 (2 checks)		First Named Inventor	William A. Zoghbi
		Examiner Name	Not Yet Assigned
		Art Unit	3762
		Attorney Docket No.	HO-P02680US1

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input checked="" type="checkbox"/> Checks	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> Other
<input type="checkbox"/> None	
Deposit Account:	
Deposit Account Number	06-2375
Deposit Account Name	Fulbright & Jaworski L.L.P.
The Director is authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below	<input checked="" type="checkbox"/> Credit any overpayments
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	

FEE CALCULATION				
1. BASIC FILING FEE				
Large Entity	Small Entity	Fee Description	Fee	Fee Paid
Code	Code		(\$)	
1001	2001	Utility filing fee	770	385
1002	2002	Design filing fee	340	170
1003	2003	Plant filing fee	530	265
1004	2004	Reissue filing fee	770	385
1005	2005	Provisional filing fee	160	80
<b>SUBTOTAL (1)</b>			(\$)	0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE				
Total Claims	*** =	Extra Claims	x	Fee from below
Independent Claims	*** =		x	
Multiple Dependent				
Large Entity	Small Entity	Fee Description	Fee	Fee Paid
Code	Code		(\$)	
1202	2202	Claims in excess of 20	18	9
1201	2201	Independent claims in excess of 3	86	43
1203	2203	Multiple dependent claim, if not paid	290	145
1204	2204	** Reissue independent claims over original patent	86	43
1205	2205	** Reissue claims in excess of 20 and over original patent	18	9
<b>SUBTOTAL (2)</b>			(\$)	0.00
**or number previously paid, if greater; For Reissues, see above				

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity	Small Entity	Fee Description	Fee	Fee Paid	
Code	Code		(\$)		
1051	2051	Surcharge - late filing fee or oath	130	65	65.00
1052	2052	Surcharge - late provisional filing fee or cover sheet.	50	25	
1053	2053	Non-English specification	130	130	
1812	2520	For filing a request for <i>ex parte</i> reexamination	2,520	2,520	
1804	1804	Requesting publication of SIR prior to Examiner action	920*	920*	
1805	1805	Requesting publication of SIR after Examiner action	1,840*	1,840*	
1251	2251	Extension for reply within first month	110	55	
1252	2252	Extension for reply within second month	420	210	
1253	2253	Extension for reply within third month	950	475	
1254	2254	Extension for reply within fourth month	1,480	740	
1255	2255	Extension for reply within fifth month	2,010	1,005	
1401	2401	Notice of Appeal	330	165	
1402	2402	Filing a brief in support of an appeal	330	165	
1403	2403	Request for oral hearing	290	145	
1451	2451	Petition to institute a public use proceeding	1,510	1,510	
1452	2452	Petition to revive - unavoidable	110	55	
1453	2453	Petition to revive - unintentional	1,330	665	
1501	2501	Utility issue fee (or reissue)	1,330	665	
1502	2502	Design issue fee	480	240	
1503	2503	Plant issue fee	640	320	
1460	1460	Petitions to the Commissioner	130	130	
1807	1807	Processing fee under 37 CFR 1.17(q)	50	50	
1806	1806	Submission of Information Disclosure Stmt	180	180	
8021	8021	Recording each patent assignment per property (times number of properties)	40	40	80.00
1809	2809	Filing a submission after final rejection (37 CFR 1.129(a))	770	385	
1810	2810	For each additional invention to be examined (37CFR 1.129(b))	770	385	
1801	2801	Request for Continued Examination (RCE)	770	385	
1802	1802	Request for expedited examination of a design application	900	900	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid			<b>SUBTOTAL (3)</b> (\$)		
			145.00		

<b>SUBMITTED BY</b>		(Complete (if applicable))	
Name (Print/Type)	Jila Bakker	Registration No. (Attorney/Agent)	53,962
Telephone	(713) 651-5698	Date	July 26, 2004
Signature			

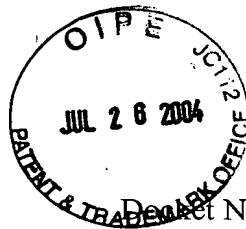
<b>Fee Transmittal</b>	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER509321301US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: July 26, 2004	Signature:  (Linda A. Bourg)

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Dated: July 26, 2004

Signature:

*Linda A. Bourg*  
(Linda A. Bourg)



Document No.: HO-P02680US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
William A. Zoghbi et al.

Application No.: 10/804,668

Filed: March 19, 2004

For: USE OF BNP DURING STRESS TESTING  
FOR THE DETECTION AND RISK  
STRATIFICATION OF INDIVIDUALS WITH  
SUSPECTED CORONARY ARTERY  
DISEASE

Confirmation No.: 8004

Art Unit: 3762

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 3, 2004, Applicant respectfully submits a Declaration, a Power of Attorney, an Application Data Sheet, an Assignment with cover sheet, and Part 2 Copy of Notice.

Our check in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter

Application No.: 10/804,668

Docket No.: HO-P02680US1

filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02680US1. A duplicate copy of this paper is enclosed.

Dated: July 26, 2004

Respectfully submitted,

By 

Jila Bakker, Reg. No. 53,962

Patent Agent

FULBRIGHT & JAWORSKI L.L.P.

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

(713) 651-5151

(713) 651-5246 (Fax)

Attorney for Applicant

07/27/04

If auct



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/804,668	06/29/2004	William A. Zoghbi	HO-P02680US1

26271  
 FULBRIGHT & JAWORSKI, LLP  
 1301 MCKINNEY  
 SUITE 5100  
 HOUSTON, TX 77010-3095

Received

JUN 07 2004

Docket: P02680US1

Client: Baylor

Attorney: 5XB

CONFIRMATION NO. 8004

## FORMALITIES LETTER



\*OC000000012841878\*

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

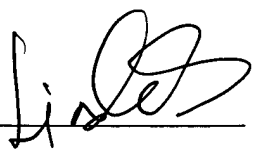
Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

07/28/2004 MAHME1 00000009 10804668

01 FC:2051

65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "L. J. [unclear]", written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY